



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

BJG

Docket No: 2864-00

31 August 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: ~~MAJ [REDACTED]~~, USMCR ~~[REDACTED]~~
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 10 Apr 00 w/attachments
(2) HQMC MMSR-5J memo dtd 1 Aug 00 w/encl
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that his naval record be corrected to reflect that his anniversary years 25 August 1979 to 24 August 1980 and 25 August 1983 to 24 August 1984 were qualifying years for purposes of eligibility for reserve retired pay. Enclosure (2) shows Headquarters Marine Corps (HQMC) has taken action to effect the requested relief regarding the year ending 24 August 1984.

2. The Board, consisting of Messrs. Ensley, Schultz, and Swarens, reviewed Petitioner's allegations of error and injustice on 24 August 2000, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence attached as enclosure (2), the HQMC office having cognizance over the subject matter of Petitioner's case has commented to the effect that his request regarding the year ending 24 August 1980 has merit and warrants favorable action. They recommended granting him 20 IDT (inactive duty training) points, the minimum needed to give him a qualifying year.


CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.


RECOMMENDATION:

- a. That Petitioner's naval record be corrected by granting him 20 additional non-pay IDT points for his anniversary year 25 August 1979 to 24 August 1980.
 - b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.
 - c. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


W. DEAN PFEIFFER
Executive Director



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

2864-00

IN REPLY REFER TO:

1000
MMSR-5J
1 Aug 00

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: ADVISORY OPINION ON BCNR APPLICATION IN THE CASE OF
MAJOR [REDACTED] USMCR

Ref: (a) MMER Route Sheet of 11 May 00, Docket No: 2864-00
(b) [REDACTED] DD Form 149 of 20 Apr 00

Encl: (1) Updated "Certified true and correct" copy of Major
[REDACTED]'s Career Retirement Credit Report (CRCR)

1. We have reviewed references (a) and (b) and provide the
following comments:

a. A search of Major [REDACTED]'s Service Record (SR) was
not conclusive in validating his claim to qualifying years of
service for the periods, 25 August 1979 to 24 August 1980 and
25 August 1983 to 24 August 1984. A unit diary search was
requested from Headquarters Marine Corps (MMSB) on 23 May 2000
to assist our research.

b. We received the results from the unit diary search on
21 July 2000 and were able to validate Major [REDACTED]'s claim
to a qualifying year of service for the period 25 August 1983 to
24 August 1984. This update has been completed and is reflected
in the enclosure.

c. Our extensive research has been unable to uncover any
information pertaining to Inactive Duty Training (IDT) points,
other than the fifteen membership points, for [REDACTED]
during the period 25 August 1979 to 24 August 1980.

d. The Service Record (SR), along with Major [REDACTED]
documentation, does present though, evidence of a Marine who was
consistently promoted with his peers, was not processed for
unsatisfactory participation due to failure to attend scheduled
IDT periods, and received the Selected Marine Corps Reserve
(SMCR) Medal on schedule. These benchmarks could not have been
achieved without Maj [REDACTED]'s claim to a qualifying year
being correct.

Subj: ADVISORY OPINION ON BCNR APPLICATION IN THE CASE OF
MAJOR [REDACTED] USMCR

2. We recommend the following:

Recommend [REDACTED] be awarded twenty (20) IDT points which will provide him with the minimum fifty (50) points necessary for a qualifying year of service for the period 25 August 1979 to 24 August 1980.

[REDACTED] JR.

Head, Separation and
Retirement Branch
By direction of the Commandant
of the Marine Corps

2464-00

CAREER RETIREMENT CREDIT RECORD

08/01/2000
07:17:20

SSN: [REDACTED] NAME: [REDACTED]
RUC: 14021 COMPANY CODE: 1 PRES GRADE: 04 RECSTAT: E COMP CODE:
PLT CODE: HQS4 TRNGRP: A R-RECSTAT: 0 RCOMP CODE: KA

ANNV: 20001216 PEBD: 19801216 DOB: [REDACTED] MAND: 20070501 CERTDATE: 199901

INPUT	ANNIVERSARY YEAR	INACDU	MBR-	TOTAL	INACDU	ACDU	TOTAL		
CRUC	INCLUSIVE DATES	POINTS	SHIP	INACDU	PNTS	POINTS	PNTS	SAT	
		PD NPD COR	PNTS	PNTS	CRED	PD NPD	CRED	YEAR	
88802	19991216-00000000	017 000 000	09	0026	26	000 000	026	NO	
88802	19981216-19991215	014 000 009	15	0038	38	021 000	059	YES	
14121	19971216-19981215	052 000 000	15	0067	67	015 000	082	YES	
21441	19961216-19971215	024 000 000	15	0039	39	014 000	053	YES	
88802	19951216-19961215	000 000 000	15	0015	15	000 000	015	NO	
88802	19941216-19951215	005 000 007	15	0027	27	000 000	027	NO	
14314	19931216-19941215	045 000 000	15	0060	60	030 000	090	YES	
14314	19921216-19931215	048 000 011	15	0074	60	013 000	073	YES	
14314	19911216-19921215	008 000 000	15	0023	23	030 000	053	YES	
88802	19901216-19911215	000 000 000	15	0015	15	198 000	213	YES	
88802	19891216-19901215	000 000 000	15	0015	15	365 000	365	YES	
88802	19881216-19891215	000 000 000	15	0015	15	365 000	365	YES	
88802	19871216-19881215	000 000 000	15	0015	15	366 000	366	YES	
88802	19861216-19871215	000 000 000	15	0015	15	365 000	365	YES	
88714	19830825-19840824	044 000 000	15	0059	59	015 000	074	YES	
88802	19820825-19830824	046 000 000	15	0061	60	015 000	075	YES	
88802	19810825-19820824	053 000 000	15	0068	60	015 000	075	YES	
88802	19800825-19810824	044 000 000	15	0059	59	015 000	074	YES	
88714	19790825-19800824	000 000 000	15	0015	15	015 000	030	NO	
14314	19780825-19790824	017 000 000	15	0032	32	213 000	245	YES	

-----COMPLETED-----

CAREER TOTALS

INACTIVE DUTY POINTS CORRES.....	0027	ACTIVE DUTY POINTS PAID.....	02070
INACTIVE DUTY POINTS PAID.....	0417	ACTIVE DUTY POINTS NON-PAID....	00000
INACTIVE DUTY POINTS NON-PAID....	0000	TOTAL ACTIVE DUTY POINTS.....	02070
MEMBERSHIP POINTS.....	294	TOTAL POINTS CREDIT.....	02725
TOTAL INACTIVE DUTY POINTS.....	0738	TOTAL SATISFACTORY YEARS.....	16
INACTIVE DUTY POINTS CREDIT.....	0715	TOTAL QUALIFYING SERVICE....	16-00-00

CERTIFIED TRUE AND CORRECT

[REDACTED SIGNATURE]